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See BJ 13462

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FILE

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INFO: SS (10) P (01)

11 025213 MOD388

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SUB: KIMMITT TALKS W/ LIU HUAQIU: BILAT ISSUES

Exempt (from NOTES) S/P-Ross "

HA-Schifter (read here) "

Dang EAP-Solomon "

PM-E.O. Clarke "

C " INR-Mulholland "

EB: McAllister / Heckling

T " NSC Sec 5/13

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EXECUTIVE SECRETARY
DEPARTMENT OF STATE

FILE

United States Department of State
Office of FOI, Privacy, & Classification Review
Review Authority: MILLER, ROBERT
Date: 06/12/96
Case ID: 9304915A

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ACTION MODS-00

INFO LOG-00 ADS-00 /000W

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FM AMEMBASSY BEIJING

TO SECSTATE WASHDC IMMEDIATE 5882

ION 01 OF 11 BEIJING 13790

MODIS

CAPTION REMOVED BY S/S (TY) ON 6/11/96

E.O. 12356: DECL: OADR

TAGS: PREL, PARM, MNUC, PHUM, SNAR, CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:
BILATERAL ISSUES

1. [REDACTED]

2. SUMMARY: DURING LENGTHY DISCUSSIONS WITH VICE FOREIGN MINISTER LIU HUAQIU ON MAY 5 AND 6, U/S KIMMITT ADDRESSED A NUMBER OF KEY PROBLEMS CONFRONTING THE SINO-U.S. RELATIONSHIP, PARTICULARLY IN THE AREAS OF HUMAN RIGHTS, NON-PROLIFERATION, AND THE TRADE DEFICIT. THE U/S POINTED OUT THAT, WHILE HE WAS NOT DRAWING A DIRECT LINKAGE, THE DECISION AS TO WHETHER TO EXTEND CHINA'S MFN STATUS WOULD INEVITABLY BE MADE AGAINST THE BACKDROP OF THE PROGRESS MADE IN ADDRESSING THESE THREE PROBLEM AREAS. SPECIFICALLY, THE U/S ASKED FOR AGNESTY/LENIENCY FOR THOSE ARRESTED IN THE CRACKDOWN FOLLOWING THE BEIJING MASSACRE; COOPERATION FROM THE PRC ON PROLIFERATION MATTERS; AND A MEANINGFUL ATTEMPT TO ADDRESS THE TRADE DEFICIT. THE U/S STRESSED THAT HE WANTED TO SEE THE BILATERAL RELATIONSHIP MOVED FORWARD, BUT THAT PROGRESS WAS POSSIBLE ONLY IF BOTH SIDES TOOK STEPS WHICH MIGHT BE POLITICALLY DIFFICULT.

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3. [REDACTED]

END SUMMARY.

4. U/S KIMMITT MET WITH VFM LIU HUADIU FOR A TOTAL OF NEARLY SEVEN HOURS ON MAY 5 AND 6. THIS CABLE DESCRIBES THEIR TALKS ON BILATERAL ISSUES. SEPTTEL WILL REPORT ON THEIR DISCUSSIONS REGARDING VARIOUS INTERNATIONAL PROBLEMS.

KIMMITT: SETTING THE SCENE

5. U/S KIMMITT BEGAN HIS DISCUSSION OF BILATERAL ISSUES BY NOTING THE EFFORT THAT CHINA HAD MADE OVER

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THE PAST TWELVE YEARS IN THE AREAS OF ECONOMIC AND POLITICAL REFORM. THE UNDER SECRETARY NOTED THAT THE U.S. WAS WELL AWARE OF THE IMPORTANCE FOR ASIA OF A STABLE AND MODERNIZING CHINA. U.S. RELATIONS WITH CHINA WERE AT A CRITICAL POINT, MR. KIMMITT POINTED OUT. HE STRESSED THAT THE OS. WSHED TO COOPERATE WITH CHINA ON INTERNATIONAL PROBLEMS BUT COULD NOT SEPARATE SUCH COOPERATION FROM BILATERAL CONCERNS. THE U.S. DESIRED TO LOOK FORWARD, NOT BACKWARD, MR. KIMMITT STATED, BUT BILATERAL ISSUES HAD TO BE ADDRESSED.

6. IN THIS REGARD, THE U/S CONTINUED, THE CHINESE SHOULD NOT LOOK UPON PROLIFERATION, HUMAN RIGHTS, AND TRADE MATTERS AS MERELY BEING TOOLS WHICH THE U.S. WAS USING TO INFLUENCE CHINESE POLICY. RATHER, THESE WERE SERIOUS PROBLEMS THAT HAD TO BE ADDRESSED. THE U.S. COULD NOT ADDRESS THESE PROBLEMS UNILATERALLY AND NEEDED THE COOPERATION OF THE CHINESE SIDE.

7. THE U/S POINTED OUT THAT THE CONGRESSIONAL DEBATE ON CHINAOMFN STATUS HAD BEGUN. IF THERE IS PROGRESS WITH RESPECT TO PROLIFERATION, HUMAN RIGHTS AND TRADE ISSUES, MFN STOOD A MUCH BETTER CHANCE OF BEING RENEWED. BOTH PRESIDENT BUSH AND SECRETARY

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FM AMEMBASSY BEIJING

TO SECSTATE WASHDC IMMEDIATE 5883

SECTION 02 OF 11 BEIJING 13790

NODIS

C O R R E C T E D C O P Y (PARAS 8 AND 10)

E.O. 12356: DECL: OADR

TAGS: PREL, PARM, MNUC, PHUM, SNAR, CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

BAKER APPRECIATED THE STEPS THAT THE CHINESE HAD
TAKEN TO DATE, BUT NEEDED MORE ASSISTANCE FROM THE
PRC IN ORDER TO MOVE THE BILATERAL RELATIONSHIP
FORWARD, KIMMITT ADDED.

LIU: CHINESE STEPS

8. IN REPLY, LIU SAID THAT THE PRC ALSO ATTACHED
GREAT IMPORTANCE TO THE BILATERAL RELATIONSHIP WHICH,
HE ADDED, WAS IMPORTANT FOR THE PEACE AND STABILITY
OF THE WHOLE WORLD. THE PRC HAD, THEREFORE, TAKEN A
NUMBER OF STEPS OVER THE PAST TWO YEARS TO IMPROVE
ITS RELATIONS WITH THE U.S.

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FM AMEMBASSY BEIJING

TO SECSTATE WASHDC IMMEDIATE 5884

SECTION 03 OF 11 BEIJING 13790

NODIS

E. O. 12356: DECL: OADR

TAGS: PREL, PARM, MNUC, PHUM, SNAR, CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

KIMMITT: THE MECHANICS OF MFN

13. UNDER SECRETARY KIMMITT REITERATED THAT THE
BILATERAL RELATIONSHIP WAS AT A CRITICAL STAGE. BOTH
SIDES NEEDED TO TAKE STEPS THAT WERE DIFFICULT
POLITICALLY. THE UNDER SECRETARY NOTED THAT IT WAS
NOW LESS THAN A MONTH BEFORE THE PRESIDENT HAD TO

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MAKE A DECISION REGARDING THE EXTENSION OF MFN. IF
THE PRESIDENT DECIDED TO EXTEND, IT WOULD BE A VERY
DIFFICULT FIGHT WITH THE CONGRESS.

14. THE UNDER SECRETARY CONTINUED BY NOTING THAT
PRESIDENT BUSH HAD SAID ONLY LAST WEEK THAT HE WANTED
GOOD RELATIONS, INCLUDING GOOD TRADE RELATIONS, WITH
CHINA. THE U.S. WAS WELL AWARE OF THE IMPORTANCE OF
MFN FOR BOTH BILATERAL RELATIONS IN GENERAL, AND
TRADE RELATIONS IN PARTICULAR, AS WELL AS FOR THE
FUTURE OF HONG KONG. TURNING TO THE MECHANICS OF
MFN, THE U/S NOTED THAT THE PRESIDENT HAD UNTIL JUNE
3 TO MAKE HIS DECISION. UNDER THE JACKSON-VANIK
AMENDMENT, EXTENSION OF MFN WAS BASED UPON FREEDOM OF
EMIGRATION. CONGRESS HAD BROADENED THIS SPECIFIC
REQUIREMENT TO INCLUDE A WIDE VARIETY OF HUMAN RIGHTS
QUESTIONS. THE U/S NOTED THAT CONGRESS WAS NOT
REQUIRED BY LAW TO GIVE ANY SPECIFIC REASONS IF IT
CHOSE TO REFUSE EXTENSION OF MFN; THE HILL WOULD
CERTAINLY TAKE INTO CONSIDERATION A WIDE VARIETY OF
QUESTIONS IF THE PRESIDENT WERE TO EXTEND CHINA'S MFN
STATUS.

15. U/S KIMMITT NOTED THAT CONGRESS ADJOURNED BEFORE
TAKING FINAL ACTION ON THE PRESIDENT'S DECISION TO
EXTEND MFN IN 1990. NEW LEGISLATION MADE SUCH A TURN
OF EVENTS HIGHLY UNLIKELY THIS YEAR. FAST TRACK
PROVISIONS PROHIBITED PARLIAMENTARY DELAYS AND
AMENDMENTS. THE ADMINISTRATION WOULD FACE SEVERE
PROBLEMS WITH THE CONGRESS, IF THE PRESIDENT DECIDED
TO EXTEND MFN, THE U/S REITERATED; PROSPECTS FOR
NON-CONDITIONED EXTENSION OF MFN WOULD BE GREATLY
ENHANCED BY PROGRESS IN THE AREAS OF HUMAN RIGHTS,
NON-PROLIFERATION, AND TRADE. WHILE HE MADE IT CLEAR
THAT HE WAS NOT DRAWING ANY FORMAL LINKAGE, MR.
KIMMITT STATED THAT THE POLITICAL DECISION ON MFN
WOULD INEVITABLY BE MADE AGAINST THE BACKDROP OF

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CHINA'S ACTIONS ON THESE THREE ISSUES.

PROLIFERATION

16. TURNING TO SPECIFIC AREAS OF CONCERN, THE U/S NOTED THAT NON-PROLIFERATION HAD BECOME AN ISSUE OF GLOBAL ^(CONCERN) ~~REVIEW~~ PARTICULARLY FOLLOWING SADDAM HUSSEIN'S USE OF SCUD MISSILES DURING THE GULF WAR. MR. KIMMITT STATED THAT NON-PROLIFERATION WOULD BE ONE OF THE KEY TOPICS FOR DISCUSSION DURING THE UPCOMING LONDON G-7 SUMMIT AND STRESSED THAT THE U.S. WISHED TO SEE CHINA BECOME INVOLVED IN A MULTILATERAL EFFORT TO ADDRESS THE PROLIFERATION PROBLEM. MR. KIMMITT ADDED THAT ALTHOUGH U/S BARTHOLOMEW WOULD BE VISITING CHINA, PROBABLY IN JUNE, TO PROVIDE MORE DETAILS ON THE PROLIFERATION PROBLEMS, HE WOULD LIKE TO GO OVER SOME BROAD AREAS OF CONCERN WITH LIU.

17. U/S KIMMITT STATED THAT THE COMMITMENTS MADE BY LI PENG AND DENG XIAOPING NOT TO EXPORT MEDIUM RANGE MISSILES WERE IMPORTANT AND [REDACTED]

[REDACTED]

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FM AMEMBASSY BEIJING

TO SECSTATE WASHDC IMMEDIATE 5885

[REDACTED] ACTION 04 OF 11 BEIJING 13790

NODIS

E.O. 12356: DECL: OADR

TAGS: PREL, PARM, MNUC, PHUM, SNAR, CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

[REDACTED]
[REDACTED] CHINA HAD NOT PARTICIPATED IN THE FORMULATION OF THOSE GUIDELINES, NOR HAD IT JOINED THE MTCR, THE U/S ADMITTED; THEREFORE, THE U.S. PARTICULARLY APPRECIATED CHINESE ASSURANCES THAT THE PRC WOULD TAKE INTO CONSIDERATION INTERNATIONAL STANDARDS WHEN LOOKING AT POSSIBLE MISSILE EXPORTS.

18. THE ISSUE AT HAND WAS NOT LEGAL INTERPRETATIONS BUT RATHER THE POLITICAL WILL TO ADDRESS CONCRETE PROBLEMS, THE U/S CONTINUED. MANY COUNTRIES, INCLUDING THOSE THAT HAD NOT PARTICIPATED IN THE FORMATION OF MTCR, RESPECTED THE GUIDELINES IN ORDER TO PRESERVE INTERNATIONAL STABILITY. THE U.S. WOULD PREFER THAT CHINA JOIN THE MTCR, BUT IF NOT, AT LEAST HONOR THE GUIDELINES IN ORDER TO FURTHER OUR MUTUAL GOAL OF STEMMING DANGEROUS PROLIFERATION, THE U/S SAID. IF CHINA SAID IT WOULD OBSERVE THE CONSENSUS, OUR SHARED GOALS WOULD BE ADVANCED DECISIVELY. THE U/S POINTED OUT THAT NEW LEGISLATION REQUIRED

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SANCTIONS AGAINST COUNTRIES WHICH VIOLATE MTCR
GUIDELINES. HE STRESSED THAT THIS NEW LEGISLATION
WAS NOT CHINA SPECIFIC AND ADDED THAT WE HAD ALREADY
DISCUSSED ITS POSSIBLE RAMIFICATIONS WITH A NUMBER OF
OTHER COUNTRIES.

19. THE U.S. HAD NOTED THE PRC'S STATEMENTS DENYING
PLANS TO EXPORT MISSILES TO THE MIDDLE EAST OTHER
THAN THE CSS-2S WHICH CHINA HAD PROVIDED SAUDI ARABIA
IN 1987, U/S KIMMITT STATED. [REDACTED]

[REDACTED] THE U/S NOTED THAT RECENT PRESS REPORTS
IN THE U.S. HAD FUELLED SPECULATION ABOUT POSSIBLE
CHINESE ATTEMPTS TO SELL MISSILES TO SYRIA, A TOPIC
WHICH WE HAD ALREADY DISCUSSED WITH THE PRC. THE
U.S. WAS ALSO CONCERNED ABOUT EXPORTS TO LIBYA AND
POSSIBLE TRANSFER BY LIBYA OF MISSILES AND OTHER
WEAPONS TO IRAQ.

20. THE U/S SAID THAT U/S BARTHOLOMEW WOULD CONTINUE
PREVIOUS DISCUSSIONS WITH THE CHINESE ON MUTUAL
EFFORTS TO CONTROL CHEMICAL WEAPONS AND CHEMICAL
PRECURSORS. MR. KIMMITT NOTED THAT THE U.S. WANTED
TO HELP CHINA DEVELOP EFFECTIVE INTERNAL CONTROLS
OVER EXPORTS IN THIS FIELDS. THE U.S. SOUGHT TO
BUILD ON SUCCESSES IN THIS AREA OF COOPERATION AND
EXPAND IT TO OTHER PROLIFERATION CONCERNS.

/
21. WITH RESPECT TO NUCLEAR PROLIFERATION, THE U/S
SAID THAT THE U.S. APPRECIATED THE MFA'S APRIL 30
PUBLIC STATEMENT CLARIFYING CHINA'S NUCLEAR
COOPERATION WITH ALGERIA. [REDACTED]

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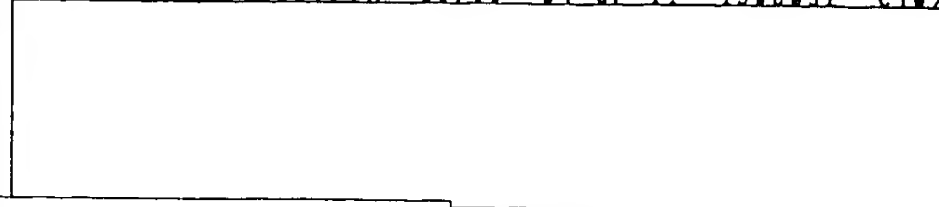
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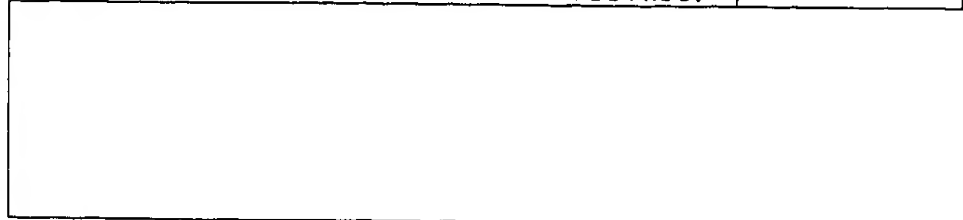


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[REDACTED] MOREOVER, MR. KIMMITT
CONTINUED, THE U.S. HOPED THAT CHINA WOULD CONSIDER
JOINING THE NPT AND RESPECT INTERNATIONALLY

RECOGNIZED NUCLEAR-SUPPLIER GUIDELINES. [REDACTED]



22. U/S KIMMITT NOTED THAT BOTH CHINA AND THE U.S.
DESIRED PEACE AND STABILITY IN SOUTH ASIA. RECENTLY
THE TENSIONS OVER KASHMIR HAD UNDERLINED THE DANGERS
OF NUCLEAR PROLIFERATION IN THAT REGION. MR. KIMMITT
EXPRESSED THE HOPE THAT CHINA WOULD JOIN THE U.S. IN
ATTEMPTING TO DEFUSE TENSIONS BETWEEN PAKISTAN AND
INDIA. HE STRESSED THAT THE U.S. HAD NO BLUEPRINT
FOR ADDRESSING THE PROLIFERATION PROBLEMS OF THE
SOUTH ASIAN REGION. KIMMITT NOTED, HOWEVER, THAT

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FM AMEMBASSY BEIJING
TO SECSTATE WASHDC IMMEDIATE 5886

SECTION 05 OF 11 BEIJING 13790

NODIS

E.O. 12356: DECL: OADR
TAGS: PREL, PARM, MNUC, PHUM, SNAR, CH
SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

SECRETARY BAKER AND FOREIGN MINISTER QIAN HAD
DISCUSSED THE POSSIBILITY OF CHINA, THE U.S. AND THE
SOVIET UNION JOINING WITH THE TWO SOUTH ASIAN
PRINCIPALS FOR FIVE-COUNTRY TALKS.

23. THE U/S STATED THAT U/S BARTHOLOMEW WOULD
DISCUSS THE POSSIBILITY OF FIVE-COUNTRY TALKS FURTHER
WHEN HE VISITED BEIJING.

24. MR. KIMMITT POINTED OUT THAT THE PAKISTANI
NUCLEAR PROGRAM HAD CAUSED MAJOR PROBLEMS FOR THE
U.S. THE U.S. HAD A LONG HISTORY OF GOOD RELATIONS
WITH PAKISTAN AND HAD COOPERATED WITH THE PAKISTANIS
ON A NUMBER OF ISSUES, INCLUDING AFGHANISTAN.

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BECAUSE OF THE PAKISTANI NUCLEAR PROGRAM, THE U.S.
HAD BEEN FORCED TO SUSPEND HUNDREDS OF MILLIONS OF
DOLLARS OF ASSISTANCE FOR THE GOP. THE U.S. WAS
WORKING WITH THE PAKISTANIS TO CORRECT THE CURRENT
SITUATION IN ORDER TO PROMOTE NOT ONLY U.S.-PAKISTANI
RELATIONS BUT STABILITY IN THE REGION. THE U.S.
THEREFORE SOUGHT CHINA'S ASSISTANCE ON BOTH A
BILATERAL AND MULTILATERAL BASIS IN ADDRESSING THIS

PROBLEM. [REDACTED]

THE CHINESE RESPONSE ON PROLIFERATION

25. IN RESPONSE, LIU NOTED THAT CHINA HAD ALWAYS
ADOPTED A SERIOUS AND RESPONSIBLE ATTITUDE REGARDING
NON-PROLIFERATION ISSUES. CHINA ENDORSED THE
COMPLETE PROHIBITION AND DESTRUCTION OF ALL CHEMICAL
AND NUCLEAR WEAPONS. BEFORE REACHING THIS GOAL,
CHINA ADVOCATED APPROPRIATE AND IMPARTIAL MEASURES TO
LIMIT THE PROLIFERATION OF WEAPONS AND MISSILES. THE
PRC HELD THAT PRIOR TO THE CONCLUSION OF A NEW
INTERNATIONAL TREATY ON CHEMICAL WEAPONS THOSE STATES
WHICH POSSESS SUCH WEAPONS SHOULD DECLARE THAT THEY
WOULD NEITHER USE, PRODUCE, STOCKPILE, NOR TRADE IN
CW. LIU SAID THAT THE PRC DID NOT POSSESS CHEMICAL
WEAPONS AND EXERTED STRICT CONTROL OVER CHEMICAL
EXPORTS. CHINA SUPPORTED THE ESTABLISHMENT OF
NUCLEAR FREE ZONES THROUGHOUT THE WORLD. CHINA HAD
ALSO SIGNED THE SEA-BED TREATY. PRC MISSILE EXPORTS
WERE GUIDED BY THREE PRINCIPLES: THEY MUST BE FOR
LEGITIMATE SELF DEFENSE OF A GIVEN COUNTRY, THEY MUST
NOT UNDERMINE THE PEACE AND STABILITY OF THE REGION,

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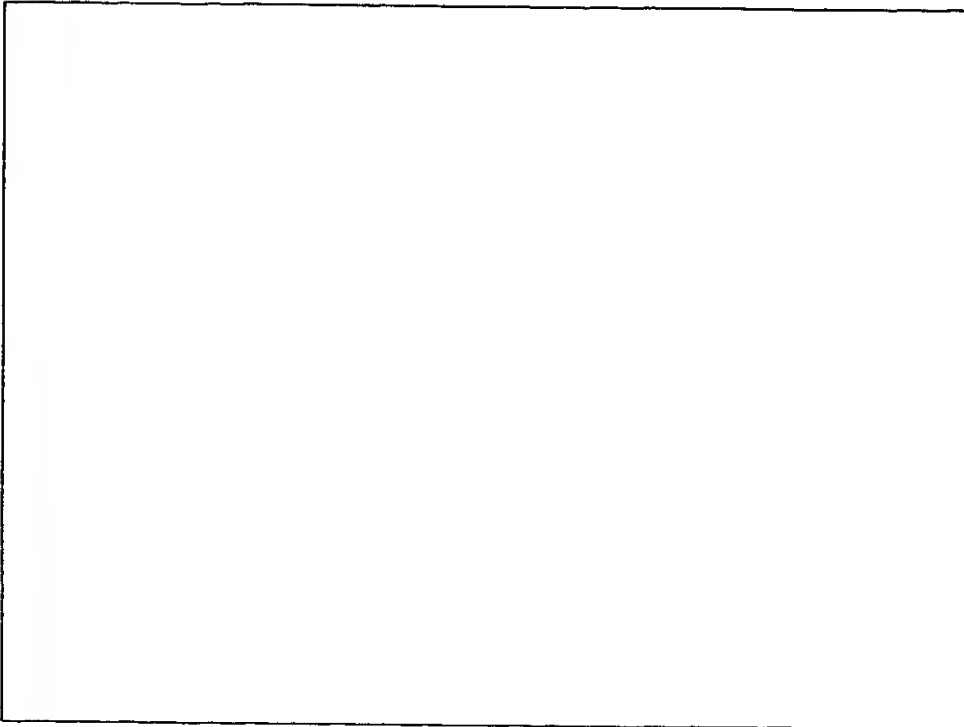
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AND THEY MUST NOT PROMOTE INTERFERENCE IN A THIRD
COUNTRY'S INTERNAL AFFAIRS.



27. LIU NOTED THAT CHINA CONTINUED TO MAINTAIN THAT
ALL CHEMICAL WEAPONS STOCKPILES SHOULD BE DESTROYED.

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FM AMEMBASSY BEIJING

TO SECSTATE WASHDC IMMEDIATE 5887

SECTION #6 OF 11 BEIJING 13790

NODIS

C O R R E C T E D C O P Y (PARA 31)

E.O. 12356: DECL: OADR

TAGS: PREL, PARM, MNUG, PHUM, SNAR, CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

HE FURTHER NOTED THAT CHINA NEITHER POSSESSED, MANUFACTURED, NOR TRADED IN CHEMICAL WEAPONS OR THEIR PRECURSORS. CHINA HAD ADOPTED A PRUDENT ATTITUDE ON CHEMICAL EXPORTS, LIU MAINTAINED. CHINA HAD ALREADY ADHERED TO EXPORT GUIDELINES ON CHEMICAL WEAPON PRECURSORS AND HAD INSTITUTED A TOUGH EXPORT LICENSING SYSTEM. CHINA WOULD CONTINUE TO IMPROVE THE STRICT CONTROLS AND IN THE MEANTIME WOULD HOPE THAT UNWARRANTED CONCERNS OVER CHEMICAL WEAPONS PROLIFERATION WOULD NOT INHIBIT LEGITIMATE COOPERATION IN THE CHEMICAL FIELD BETWEEN CHINA AND OTHER COUNTRIES, LIU STATED.

28. TURNING TO SOUTH ASIA, LIU ASSERTED THAT CHINA WAS IN FAVOR OF REGIONAL NON-PROLIFERATION ARRANGEMENTS, NOTING THAT SUCH ARRANGEMENTS NOT ONLY PREVENTED NUCLEAR PROLIFERATION BUT ALSO ENCOURAGED COOPERATION AMONG STATES. CHINA STOOD FOR THE ESTABLISHMENT OF NUCLEAR FREE ZONES ON THE BASIS OF

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VOLUNTARY TALKS. THE NUCLEAR POWERS SHOULD RESPECT
SUCH NFZ'S AND GUARANTEE NOT TO USE THEIR NUCLEAR
ARSENALS AGAINST THE NATIONS BELONGING TO SUCH
ZONES. LIU POINTED OUT THAT AS A NEIGHBOR OF THE
SOUTH ASIA REGION, CHINA FOLLOWED THE QUESTION OF
NUCLEAR COMPETITION BETWEEN PAKISTAN AND INDIA
CLOSELY. CHINA FELT STRONGLY THAT IT WAS IN NO ONE'S
INTEREST TO SEE THE TWO SOUTH ASIAN STATES ATTEMPT TO
ACQUIRE NUCLEAR WEAPONS.

30. LIU STATED THAT IF THE OTHER PARTIES MENTIONED
BY UNDER SECRETARY KIMMITT ALSO AGREED, CHINA WOULD
HAVE NO PROBLEM PARTICIPATING IN FIVE PARTY
CONSULTATIONS ON THE SOUTH ASIA PROBLEM. LIU FELT
THAT THE PARTIES CONCERNED SHOULD ALL CONSULT WITH
ONE ANOTHER.

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FM AMEMBASSY BEIJING

TO SECSTATE WASHDC IMMEDIATE 5625

SECTION 07 OF 11 BEIJING 13462

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EYES ONLY FOR U/S KIMMITT

E.O. 12356: DECL: OADR

TAGS: PREL. PARM. MNUC. PHUM. CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

ENDING WITH A DIG AT THE SUPERPOWERS. LIU QUOTED A
CHINESE PROVERB: "THE COUNTY MAGISTRATE SHOULD NOT BE
ALLOWED TO BURN DOWN THE HOUSE WHILE THE COMMON
PEOPLE CANNOT EVEN LIGHT A LAMP."

HUMAN RIGHTS

33. U/S KIMMITT POINTED OUT THAT ONE OF THE MAJOR
AREAS OF DISAGREEMENT BETWEEN CHINA AND THE U.S. WAS
HUMAN RIGHTS. MR. KIMMITT STRESSED THAT HUMAN RIGHTS
WAS NOT AN ISSUE ONLY BETWEEN THE PRC AND U.S. BUT
ONE WHICH THE U.S. FELT COMPELLED TO RAISE WITH A
NUMBER OF ITS PARTNERS.

MR.

KIMMITT POINTED OUT THAT HUMAN RIGHTS WERE THE

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CORNERSTONE OF AMERICA'S FOREIGN POLICY AND THAT
AMERICA'S CLOSEST BILATERAL RELATIONSHIPS WERE WITH
THOSE COUNTRIES WHICH SHARED A MUTUAL RESPECT FOR
INTERNATIONAL STANDARDS ON THIS ISSUE.

34. U/S KIMMITT STATED THAT THE U.S. HAD NO DESIRE
TO INTERFERE IN CHINA'S INTERNAL AFFAIRS. BUT FELT
COMPELLED TO RAISE HUMAN RIGHTS QUESTIONS SINCE THEY
AFFECTED THE BILATERAL RELATIONSHIP. EVEN BEFORE
1989. CHINA AND THE U.S. HAD DISCUSSED HUMAN RIGHTS.
POINTED OUT DIFFERENCES IN EACH OTHER'S POSITIONS.
AND AGREED TO WORK WITH EACH OTHER TO RESOLVE THESE
DIFFERENCES. THE U/S ACKNOWLEDGED THAT THE PRC HAD
TAKEN A NUMBER OF POSITIVE STEPS ON THE HUMAN RIGHTS
FRONT. INCLUDING THE RELEASE OF HAN DONGFANG AND THE
RESTORATION OF THE BILATERAL DIALOGUE ON HUMAN RIGHTS
QUESTIONS.

35. HUMAN RIGHTS CONDITIONS IN CHINA WOULD HEAVILY
INFLUENCE ANY DISCUSSION OF MFN IN CONGRESS. MR.
KIMMITT CONTINUED. THUS, IN APRIL THE U.S. EMBASSY
HAD RAISED WITH PRC SEVERAL SPECIFIC CASES WHICH WERE
OF CONGRESSIONAL INTEREST. THE U.S. WAS STILL
WAITING FOR A RESPONSE FROM THE CHINESE SIDE. MR.
KIMMITT POINTED OUT THAT THE EARLIER A RESPONSE WAS
RECEIVED THE GREATER EFFECT IT WOULD HAVE
POLITICALLY.

36. WITH RESPECT TO EMIGRATION, THE UNDER SECRETARY
CONTINUED. THE U.S. CONGRESS HAD SINGLED OUT SEVERAL
CATEGORIES OF INDIVIDUALS OF PARTICULAR CONCERN.
THESE INCLUDED FAMILIES OF PRC STUDENTS AND
INTELLECTUALS RESIDENT IN THE U.S. AND RELIGIOUS
SEMINARIANS WISHING TO STUDY IN THE U.S. MR. KIMMITT
POINTED OUT THAT DENIAL OF PASSPORTS TO SUCH
INDIVIDUALS BY THE CHINESE AUTHORITIES COULD WELL
HAVE A DIRECT EFFECT ON MFN UNDER THE JACKSON-VANIK

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AMENDMENT.

37. U/S KIMMITT STATED THAT THE U.S. APPRECIATED THAT SOME OF THE SENTENCES HANDED DOWN BY CHINESE COURTS TO DISSIDENTS RECENTLY WERE NOT AS SEVERE AS THOSE IN THE PAST. NEVERTHELESS, HE POINTED OUT, CRIMINAL PUNISHMENT FOR NON-VIOLENT POLITICAL ACTIVITY WAS A VIOLATION OF INTERNATIONAL NORMS. MR. KIMMITT ADDED THAT THREE CATEGORIES OF PEOPLE DETAINED IN THE CRACKDOWN FOLLOWING THE TIANANMEN DEMONSTRATIONS WERE OF PARTICULAR CONCERN TO THE U.S.:

-- PEOPLE CONVICTED AND SERVING SENTENCES FOR NON-VIOLENT ACTIVITY DURING THE DEMONSTRATIONS. MR. KIMMITT NOTED THAT THE LENGTHY SENTENCES IMPOSED ON SOME OF THESE INDIVIDUALS HAD CREATED A SEVERELY NEGATIVE IMPRESSION IN THE U.S. AND CONTINUED TO BE A MAJOR IRRITANT IN SINO-U.S. RELATIONS. MR. KIMMITT SAID THAT THE U.S. WAS SPECIFICALLY REQUESTING CLEMENCY FOR THESE INDIVIDUALS OR COMMUTATION OF THEIR SENTENCES FOR GOOD BEHAVIOR.

-- PEOPLE CURRENTLY UNDER JUDICIAL REVIEW FOR NON-VIOLENT ACTIVITY. MR. KIMMITT STATED THAT THE U.S. SPECIFICALLY REQUESTED LENIENCY OR AMNESTY FOR THESE INDIVIDUALS.

-- THOSE INDIVIDUALS UNDER DETENTION FOR ACTIVITY

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SECTION 08 OF 11 BEIJING 13790

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C O R R E C T E D C O P Y (TEXT)

E.O. 12356: DECL: OADR

TAGS: PREL, PARM, MNUC, PHUM, SNAR, CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

-- THOSE INDIVIDUALS UNDER DETENTION FOR ACTIVITY DURING THE 1989 DEMONSTRATIONS BUT NOT YET BROUGHT BEFORE THE COURT SYSTEM MR. KIMMITT POINTED OUT THAT AS OF JUNE 1990, ACCORDING TO OFFICIAL CHINESE STATISTICS THERE WERE 355 INDIVIDUALS STILL UNDER DETENTION, BUT NOT YET BROUGHT BEFORE THE COURTS. SUBSEQUENTLY THE CASES OF 100 OF THOSE HAD BEEN RESOLVED, LEAVING 255 UNRESOLVED. U/S KIMMITT SAID THAT THE U.S. WOULD APPRECIATE AN IMMEDIATE ANNOUNCEMENT OF THE RELEASE OF THESE INDIVIDUALS. SUCH AN ANNOUNCEMENT WOULD HAVE A POSITIVE EFFECT ON BILATERAL RELATIONS, THE UNDER SECRETARY SAID.

38. MR. KIMMITT NOTED THAT THE U.S. HAD NOT YET RECEIVED ANY RESPONSE TO THE QUESTIONS RAISED BY A/S SCHIFTER DURING HIS VISIT TO BEIJING. THE U/S POINTED OUT THAT THE ADMINISTRATION HAD FREQUENTLY CITED THE SCHIFTER VISIT AS AN EXAMPLE OF PROGRESS IN THE HUMAN RIGHTS DIALOGUE WITH CHINA; IF NO ANSWERS

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TO MR. SCHIFTER'S QUESTIONS WERE FORTHCOMING THE
ADMINISTRATION'S ARGUMENT IN THIS REGARD WOULD BE
UNDERCUT.

RELIGIOUS FREEDOM

39. MR. KIMMITT STATED THAT NUMEROUS CREDIBLE
REPORTS INDICATED THAT THE PRC WAS RESTRICTING
LEGITIMATE RELIGIOUS ACTIVITY. AT LEAST 30 CATHOLIC
PRIESTS AND LAYMEN HAD BEEN ARRESTED IN 1990 AND 60
CATHOLIC CHURCHES CLOSED DOWN. PROTESTANTS ALSO WERE
BEING DISCRIMINATED AGAINST. U/S KIMMITT POINTED OUT
THAT SUCH ACTIVITIES BY THE CHINESE AUTHORITIES WERE
IN VIOLATION OF THE INTERNATIONAL DECLARATION OF
HUMAN RIGHTS AND PROBABLY IN VIOLATION OF THE PRC'S
CONSTITUTION- MR. KIMMITT STATED THAT RELIGIOUS
FREEDOM WAS OF GREAT IMPORTANCE TO AMERICAN PEOPLE
AND CONGRESS AND PREDICTED THAT RELIGIOUS ISSUES
WOULD BE AMONG THE MOST EMOTIONAL DURING ANY DEBATE
ON EXTENSION OF CHINA'S MFN STATUS. INDEED, MANY
CONGRESSMEN HAD ALREADY INDICATED THAT THEIR VOTE ON
THE MFN ISSUE WOULD DEPEND ON CHINA'S RESPONSE TO THE
LIST OF 77 IMPRISONED RELIGIOUS LEADERS PRESENTED BY
CONGRESSMEN SMITH AND WOLF DURING THEIR VISIT TO
BEIJING.

40. MR. KIMMITT NOTED THAT DURING THE WELCOMING
DINNER ON MAY 5, VFM LIU HAD STATED THAT CHINA WOULD
ENFORCE A "STRICT BAN ON EXPORTS OF PRODUCTS MADE IN
PRISONS." THE U/S STATED THAT A PUBLIC ANNOUNCEMENT
AND STRICT ENFORCEMENT OF SUCH A BAN WOULD HAVE A
SALUTORY EFFECT ON SINO-U. S. RELATIONS.

THE CHINESE RESPONSE ON HUMAN RIGHTS:

41. VFM LIU REPLIED THAT, GIVEN THE TWO COUNTRIES'

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DIFFERENT SYSTEMS AND VALUES, IT HAS INEVITABLE THAT
CHINA AND THE U.S. WOULD HAVE DIFFERENT VIEWS ON
HUMAN RIGHTS. LIU ASSERTED THAT THERE HAD BEEN
MARKED IMPROVEMENT IN HUMAN RIGHTS CONDITIONS INSIDE
CHINA IN THE 40 YEARS SINCE LIBERATION. THE PRC
REGARDED THE RIGHT OF SURVIVAL AS THE MOST IMPORTANT
OF HUMAN RIGHTS; THE RIGHT OF NATIONAL INDEPENDENCE
AS THE SECOND MOST IMPORTANT; AND THE RIGHT TO
ECONOMIC DEVELOPMENT AS THE THIRD, LIU SAID. SINCE
1949, THE PRC HAD REVERSED THE PREVIOUS SITUATION.
WHERE THE CHINESE PEOPLE HAD NOT ENOUGH TO EAT OR
WEAR. THERE HAD BEEN A MARKED IMPROVEMENT IN THE
LIVING STANDARD OF THE CHINESE. THE PRC HAD
PROTECTED THE INDEPENDENCE OF CHINA AND ALLOWED 1.1
BILLION PEOPLE TO BECOME MASTERS OF THEIR OWN COUNTRY.

42. LIU ASSERTED THAT THE CHINESE PEOPLE ENJOYED
FULL DEMOCRATIC RIGHTS AND STATED THAT ECONOMIC
DEVELOPMENT WAS DEPENDENT ON THE STABILITY OF THE
COUNTRY. HE THEREFORE EXPRESSED THE HOPE THAT THE
U.S. WOULD ACT ACCORDING TO MR. KIMMITT'S PREVIOUS
STATEMENTS AND NOT USE HUMAN RIGHTS TO INTERFERE IN
CHINA'S INTERNAL AFFAIRS. LIU FURTHER NOTED THAT
HUMAN RIGHTS COULD ONLY BE IMPLEMENTED THROUGH A
COUNTRY'S DOMESTIC LAWS. HE POINTED OUT THE U.S.
ITSELF HAD FAILED TO RATIFY A NUMBER OF INTERNATIONAL
HUMAN RIGHTS DOCUMENTS WHICH IT CONSIDERED TO BE IN
CONFLICT WITH AMERICAN LAW.

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TO SECSTATE WASHDC IMMEDIATE 5890

SECTION 09 OF 11 BEIJING 13790

NOD 1 S

C O R R E C T E D C O P Y (TEXT)

E. O. 12356: DECL: OADR

TAGS: PREL, PARM, MNUC, PHUM, SNAR, CH

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU;

EMIGRATION

43. WITH RESPECT TO EMIGRATION, LIU CLAIMED THAT THE PROBLEM WAS NOT THAT THE PRC WAS UNWILLING TO ALLOW ENOUGH CHINESE TO LEAVE THE COUNTRY. RATHER, HE CLAIMED, OTHER COUNTRIES WERE UNWILLING TO LET LARGE NUMBERS OF CHINESE IN. HE SAID THAT CHINA WOULD BE WILLING TO ALLOW 20 MILLION CHINESE TO EMIGRATE TO THE U.S. IF THE USG WERE WILLING TO TAKE THEM.

44. LIU STATED THAT THERE WERE NO RESTRICTIONS ON THE RELATIVES OF ANY CHINESE LIVING IN THE U.S. GOING THERE TO VISIT. THEY COULD APPLY FOR PASSPORTS AND THEIR APPLICATIONS WOULD "BE APPROVED IN DUE PROCESS." "MY PERSONAL FEELING IS THAT THEY WILL BE ALLOWED TO GO" LIU SAID. HE POINTED OUT THAT THOSE WISHING TO LEAVE WOULD FIRST HAVE TO CLEAR UP ALL THEIR AFFAIRS INSIDE CHINA, INCLUDING DEBTS. LIU

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NOTED THAT CHINESE STUDYING ABROAD WERE FREE TO
RETURN TO CHINA AND EXIT ONCE MORE. SOME TWO TO
THREE THOUSAND HAD RETURNED TO CHINA FROM THE U.S.
SINCE JUNE 4, 1989, AND HAD BEEN ALLOWED TO LATER
RETURN TO THE U.S.

POLITICAL PRISONERS

45. IN DISCUSSING THE CRACKDOWN, LIU INSISTED THAT
THERE WERE NO POLITICAL PRISONERS IN CHINA. HE
MAINTAINED THAT ALL THOSE ARRESTED AFTER THE
"TURMOIL" HAD BEEN INCARCERATED FOR VIOLATING
CRIMINAL LAW. MOST HAD ALREADY BEEN TRIED; THE CASES
OF ONLY A TINY HANDFUL WERE STILL UNDER
CONSIDERATION. LIU AGREED THAT THE SENTENCES HANDED
DOWN TO THOSE CONVICTED HAD BEEN LENIENT. HE
ASSERTED THAT THE TRIALS HAD ALL BEEN HANDLED BY THE
JUDICIARY WITH NO INTERFERENCE FROM THE GOVERNMENT.

46. LIU STATED THAT THE CASES OF MOST OF THE 250
WHOM MR. KIMMITT CLAIMED HAD NOT YET BEEN TRIED HAD
IN FACT ALREADY BEEN DISPOSED OF. ONLY A FEW OF THE
MOST COMPLICATED CASES -- SOME OF WHICH INVOLVED
STATE SECRETS -- HAD NOT YET BEEN RESOLVED.
MOREOVER, IN THE TWO YEARS SINCE THE "TURMOIL" MOST
CASES INVOLVING INDIVIDUALS ARRESTED DURING THE
CRACKDOWN HAD BEEN RESOLVED AND THE MAJORITY OF
INDIVIDUALS HAD BEEN RELEASED. ONLY A HANDFUL HAD
BEEN SENTENCED FOR THEIR CRIMES AND ALL THEIR
SENTENCES HAD BEEN LENIENT, LIU MAINTAINED.
SIMILARLY, WHEN THE U/S ASKED FOR AMNESTY FOR WEI
JINGSHENG, VFM LIU REPLIED THAT WEI HAD BEEN
CONVICTED OF CRIMINAL ACTIVITY AND THAT, IN ANY
EVENT, HIS SENTENCE WAS ALMOST OVER.

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47. LIU STATED THAT THE CHINESE GOVERNMENT WOULD "TAKE INTO CONSIDERATION" THE REQUESTS RAISED BY A/S SCHIFTER DURING HIS VISIT. LIU STRESSED THAT THE CHINESE CONSTITUTION GUARANTEED RELIGIOUS FREEDOM. THEREFORE, IF ANY OF THE 77 INDIVIDUALS NAMED ON THE LIST PRESENTED BY CONGRESSMEN WOLF AND SMITH HAD BEEN ARRESTED, THEY DOUBTLESS HAD BEEN ARRESTED FOR VIOLATING THE LAW AND NOT FOR PRACTICING THEIR RELIGION. LIU ADDED THAT THE CHINESE AUTHORITIES HAD INVESTIGATED THE NAMES ON THE LIST AND HAD DIVIDED THE INDIVIDUALS INTO FOUR CATEGORIES:

-- OLD PEOPLE ON PENSIONS.

-- RECIDIVISTS WHO HAD PREVIOUSLY BEEN ARRESTED ON OTHER CHARGES.

-- INDIVIDUALS WHO COULD NOT BE LOCATED, IN MOST CASES BECAUSE ONLY THEIR SURNAMES WERE GIVEN (ABOUT 20 INDIVIDUALS FELL INTO THIS CATEGORY ACCORDING TO LIU).

-- A FEW WHO WERE STILL UNDER INVESTIGATION FOR

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BOJ396:BEIJIN13790 130535 MAY 91

U/S KIMMITT'S MEETINGS WI

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

VIOLATING THE CRIMINAL LAW.

THUS, LIU CONCLUDED, NONE OF THE INDIVIDUALS ON THE
LIST OF 77 HAD BEEN ARRESTED FOR THEIR RELIGIOUS
BELIEFS.

TRADE MATTERS

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MOG397:BEIJIN13790 130535 MAY 91

U/S KIMMITT'S MEETINGS WI

SUBJECT: U/S KIMMITT'S MEETINGS WITH LIU HUAQIU:

IN CLOSING

53. THE U/S REPLIED THAT HE HAD COME TO CHINA NOT TO SEE A RETROGRESSION IN THE BILATERAL RELATIONSHIP, BUT RATHER PROGRESS. HE HOPED THAT RELATIONS BETWEEN THE TWO COUNTRIES WOULD NOT JUST SURVIVE, BUT PROSPER. MR. KIMMITT POINTED OUT THAT AS THE DEBATE OVER EXTENSION OF MFN INTENSIFIED BOTH SIDES SHOULD BE LOOKING TO TAKE STEPS -- SOME OF WHICH MIGHT BE POLITICALLY DIFFICULT -- TO ADVANCE THEIR RELATIONSHIP. U/S KIMMITT STATED THAT THE BALL WAS NOT IN THE U.S. COURT BUT RATHER AT MID-COURT. LIU STATED THAT CHINA WOULD DO THE MOST IT COULD WITHOUT SACRIFICING ITS PRINCIPLES.

54. MR. KIMMITT INVITED VFM LIU TO VISIT WASHINGTON AT A MUTUALLY AGREEABLE TIME. LIU REPLIED THAT, DEPENDING ON THE PROGRESS ON THE MFN ISSUE, HE WOULD BE HAPPY TO CONSIDER THE INVITATION.
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